IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

O.P.No.486 of 1997(G)

PETITIONERS:-

1. T.SASIDHARAN, LECTURER IN POLITICS,
   S.N.COLLEGE, KANNUR.

2. G.JAYASENAN, LECTURER IN POLITICS,
   S.N.COLLEGE, NATTIKA.

3. C.VINOD KUMAR, LECTURER IN POLITICS,
   S.N.G.COLLEGE, CHELANNUR.

BY ADV.SRI.ELVIN PETER P.J.
SRI.P.N.SANTHOSH.

RESPONDENTS:-

1. THE DIRECTOR OF COLLEGIATE EDUCATION,
   THIRUVANANTHAPURAM.

2. THE MANAGER, S.N.COLLEGE, KOLLAM - 691 001.

3. THE REGISTRAR, UNIVERSITY OF CALICUT,
   CALICUT UNIVERSITY P.O., PIN - 673 635.

R1 BY GOVERNMENT PLEADER SRI.SANDESH RAJA.
R2 BY ADVOCATE SRI.A.N.RAJAN BABU.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 07/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

ORDER ON C.M.P.NO.786 OF 1997 IN O.P.NO.486 OF 1997-G

DISMISSED.

7.2.2007. Sd/- ANTONY DOMINIC, JUDGE.

APPENDIX

Petitioner's Exhibits:

Ext.P1 - true copy of notification dated 27.7.1989 issued by the 2nd respondent.

Ext.P2 - true copy of appointment order dated 27.1.1990 of the 1st petitioner.

Ext.P3 - true copy of order dated 6.6.1990 issued by the University of Calicut.

Ext.P4 - true copy of appointment order dated 27.1.1990 of the 2nd petitioner.

Ext.P5 - true copy of order dated 7.11.1990 issued by the University of Calicut.

Ext.P6 - true copy of appointment order dated 21.2.1990 of the 3rd petitioner.

Ext.P7 - true copy of appointment order dated 6.6.1990 of the 3rd petitioner.

Ext.P8 - true copy of order dated 16.3.1991 issued by the University of Calicut.

Ext.P9 - true copy of order, G.O. MS.No.66/90/H.Edn. Dated 13th March, 1990.

Ext.P10 - true copy of order, G.O.MS.No.76/90/H.Edn. dt.23rd March, 1990.

Ext.P11 - true copy of order, G.O. (P) No.79/90/H.Edn. Dated 27th March, 1990 along with the Annexure.

Ext.P12 - true copy of order dated 30.6.1992 of the 1st respondent along with the relevant extract of the list.

Ext.P13 - true copy of letter dated 1.12.1993 sent by the 2nd respondent.

Ext.P14 - true copy of letter dated 25.3.1994 sent by the 2nd respondent.

Ext.P15 - true copy of notification issued as per G.O.MS.No.197/88/ H.Edn. Dated 19th September, 1988.

Ext.P16 - true copy of order dated 21.6.1995 of the Joint Receivers SN Trusts.

Ext.P16(a) - true copy of seniority list of teachers (Lecturers in Politics, Calicut University area) as on 31.3.1995.

Ext.P17 - true copy of representation dated 25.7.1996 submitted by the 1st petitioner to the 2nd respondent.

Ext.P18 - true copy of letter dated 17.8.1996 issued by the 2nd respondent to the 1st petitioner.

Ext.P19 - true copy of representation dated 23rd September, 1996 submitted by the 1st petitioner to the 2nd respondent.

Ext.P20 - true copy of order No.UGC Special Cell/II(i)4061/91/L. dated 12.3.1991 issued by the Addl. D.C.E.

Ext.P21 - true copy of order No.5(c)/9264. dt. 30.1.1997 along with the seniority list.

RESPONDENT'S EXHIBITS:- Nil.

/ true copy /

Antony Dominic,J.

O.P.No.486 of 1997-G

Dated, this the 7th day of February, 2007

JUDGMENT

The petitioners, Lecturers under the 2nd respondent and working in the colleges coming under the University of Calicut, have filed this writ petition praying for a direction to the first respondent to give them placement under the UGC Scheme as Lecturers in Politics in the Calicut University area with effect from 1.2.1990, 31.1.1990 and 6.6.1990 respectively. Going by the orders produced in the writ petition, the only reason projected for the non-placement of the petitioners under the UGC Scheme was the absence of seniority list. Along with the reply affidavit, petitioners have produced as Exhibit P21 the finalised seniority list of teachers in Politics in colleges under the Sree Narayana Trust as on 31.3.1995.

2. Now that the seniority of the petitioners have been finalised by Exhibit P21, the justification assigned for non-extension of the benefit of UGC Scheme no longer subsists. The learned Government Pleader also states that in view of

Exhibit P21 there could be no reason why the petitioners should not be extended the benefits as claimed by them, but he points out that the benefits can be given with effect from 31.3.1990. The petitioners also accept that they are entitled to the benefits only from the date pointed out by the learned Government Pleader.

3. In view of the above, I dispose of this writ petition directing that if the petitioners have not already been extended the benefit of placement under the UGC Scheme as claimed by them, they will be extended the same benefit with effect from 31.3.1990 as expeditiously as possible. They would also be entitled to all other consequential benefits.

Antony Dominic
Judge

vku/-